

**ORDINANCE NO. 2002-34-CM**

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF  
TIPPECANOE COUNTY, INDIANA, NO. 97-51-CM**

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF TIPPECANOE COUNTY, INDIANA, THAT THE UNIFIED ZONING ORDINANCE, BEING A SEPARATE ORDINANCE AND NOT PART OF A UNIFIED COUNTY CODE IS HEREBY AMENDED AS FOLLOWS:**

**Section 1.** Change **1-10-2, WORDS AND TERMS DEFINED**, of **1-10, DEFINITIONS**, of **CHAPTER 1, GENERAL PROVISIONS**, by deleting the definition of **ONE AND TWO FAMILY DWELLING CODE, INDIANA**, and adding the following definition:

**INDIANA RESIDENTIAL CODE.** The nationally recognized model building code titled The International Residential Code for One and two Family Dwellings as adopted under *675 I.A.C. 14*, and, which includes those supplements and amendments promulgated by the Indiana Department of Fire and Building Services.

**Section 2.** Change **1-10-2, WORDS AND TERMS DEFINED**, of **1-10, DEFINITIONS**, of **CHAPTER 1, GENERAL PROVISIONS**, by revising the definition of **MANUFACTURED HOME** to read:

- (2) is attached to a *permanent foundation* and has a *permanent perimeter enclosure*, built in accordance with the *Indiana Residential Code*;

And by revising the definition of **PERMANENT PERIMETER ENCLOSURE** to read:

**PERMANENT PERIMETER ENCLOSURE.** A permanent perimeter structural system, completely enclosing the space between the floor joists of the home and the ground except for necessary openings, constructed in accordance with the *Indiana Residential Code*.

**Section 3.** Change Section 3-2, **PRIMARY USE TABLE** by eliminating Footnote Number 5 from SIC 078, Landscape and horticultural services.

**Section 4.** Change Section 3-2, **PRIMARY USE TABLE** Footnote Number 39 “permitted indoors only” to read, “in commercial zones, permitted indoors only”.

**Section 5.** Change Section 3-2, **PRIMARY USE TABLE** by allowing SIC 7997, membership sports and recreation clubs by special exception in the A and AW zones.

**Section 6.** Change Section 3-2, **PRIMARY USE TABLE** by allowing SIC 7997, Tennis clubs by special exception in the I1, I2, and I3 districts and also allow SIC 7999, Amusement and recreation services, not elsewhere classified (indoor) and (outdoor) with a special exception in the I1, I2, and I3 districts.

**Section 7.** Change **MINIMUM LOT AREA** in Sections 2-1-4 (**R1**), 2-2-4 (**R1A**), 2-3-4 (**R1B**) **SINGLE-FAMILY RESIDENTIAL ZONES**, Section 2-6-4 (**R2**) **SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL ZONES**, Section 2-23-4, **AGRICULTURAL ZONES**, Section 2-24-5, **SELECT AGRICULTURAL ZONES**, Section 2-25-4, **AGRICULTURAL AND WOODED ZONES**, to read:

**Residential use: Not served by sanitary sewer** – as determined by the Tippecanoe County Health Department (and the Division of Sanitary Engineering, Indiana State Department of Health except for *single-* and *two-family residences*), on a lot-by-lot basis, but in no case less than 30,000 square feet.

Also change footnote 1 of the chart in Section 4-2-1 to read:

1 For *uses* served by sanitary sewer only. Minimum *lot area* and *width* for *uses* not served by sanitary sewer will be as approved by the Tippecanoe County Health Department and the Division of Sanitary Engineering, Indiana State Department of Health, on a lot-by-lot basis, and will in no case be less than 30,000 square feet.

Also change Section 4-3-1 **LOTS NOT SERVED BY SANITARY SEWER**, subsection (b) to read:

Shall in no case be less than 30,000 square feet.

**Section 8.** Change Section 3-2, **PRIMARY USE TABLE**, by adding SIC 7999, Adult cabaret allowed by right in the GB district.

**Section 9.** Change the following typographical errors and incomplete phrases:

- a) Section 4-6-11 d – Off-site Parking Exclusions, Reductions, and Exceptions. “may permit required or optional parking to be located off-site under certain circumstances.”
- b) Section 4-11-3 – change the heading to read: BOARDING, BREEDING, AND GROOMING OF ANIMALS OTHER THAN HORSES AND FARM ANIMALS.
- c) Section 6-2-4 2 – “...the work authorized by the permit is suspended or abandoned for 6 months;
- d) Section 4-6-13b – change “xisting” to read “existing”.

This ordinance shall be in full force and effect from and after its passage.

**Adopted And Passed by the Board Of Commissioners of Tippecanoe County, Indiana, this 4th day of September, 2002.**

VOTE:

<u>Yes</u>	<u>John Knochel, President</u>
<u>Yes</u>	<u>KD Benson, Vice President</u>
<u>Yes</u>	<u>Ruth Shedd, Member</u>

ATTEST:

Robert A. Plantenga, Auditor